

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
)
v.) Case No. 6:16-cr-03057-SRB
)
)
SCOTTY O. WATKINS,)
)
)
Defendant.)

ORDER

Before the Court is Magistrate Judge David P. Rush's Report and Recommendation denying Defendant's Motion to Suppress Evidence (Doc. #19), and Defendant's Motion to Suppress Evidence and Request for a Franks Hearing (Doc. #25). On August 16, 2016, Magistrate Judge Rush conducted a hearing on the motion to suppress. On October 17, 2016, Magistrate Judge Rush issued his Report and Recommendation. (Doc. #27). On November 3, 2016, Defendant's Exceptions to the Report and Recommendation of the United States Magistrate Judge was filed. (Docs. #28).

Upon careful and independent review of the pending motions and suggestions in support thereof, Defendant's objections to the Magistrate's Report and Recommendation, as well as applicable law, the Court hereby adopts and incorporates as its own Opinion and Order the Report and Recommendation of Magistrate Judge Rush. See U.S. v. Smith, 557 Fed. Appx. 606, 608-09 (8th Cir. 2014) (affirming district court's adoption of Report and Recommendation based solely on analysis of second prong of the Franks analysis).

Accordingly, it is hereby

ORDERED that Defendant's Motion to Suppress Evidence (Doc. #19), and Defendant's Motion to Suppress Evidence and Request for a Franks Hearing (Doc. #25) is **DENIED**.

IT IS SO ORDERED.

/s/ Stephen R. Bough
JUDGE STEPHEN R. BOUGH
UNITED STATES DISTRICT COURT

DATED: November 4, 2016